

QUIN DENVIR, Bar #49374
Federal Defender
ERIC V. KERSTEN, Bar #226429
Assistant Federal Defender
Designated Counsel for Service
2300 Tulare Street, Suite 330
Fresno, California 93721-2226
Telephone: (559) 487-5561

Attorney for Defendant
LUIS C. RODRIGUEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 1:05-Cr-00063 OWW
)	
<i>Plaintiff,</i>)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE AND SET MOTION BRIEFING
v.)	SCHEDULE AND ORDER THEREON
)	
LUIS C. RODRIGUEZ,)	NOTE TO COUNSEL: Requested new date
)	changed
<i>Defendant.</i>)	
)	Date: August 22, 2005
)	Time: 1:30 p.m.
)	Judge: Honorable Oliver W. Wanger

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, DAVID L. GAPP, Assistant United States Attorney, counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, counsel for Defendant Luis C. Rodriguez, that the date for status conference in this matter may be continued to August 22, 2005. It is also requested that a new motion briefing schedule be ordered. It is requested that any additional motions may be filed by July 18, 2005; that any response or opposition may be filed by August 15, 2005; and that status conference and hearing on the motions may be set for August 22, 2005. **The date currently set for status conference is June 21, 2005. The requested new date is August 22, 2005.**

The reason for this request is that additional time is needed to complete defense review of the images and other evidence in this matter, and also to file a potential suppression motion related to the

1 search of Mr. Rodriguez' residence.

2 The parties agree that the delay resulting from the continuance shall be excluded as necessary for
3 effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial
4 motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

5
6 McGREGOR W. SCOTT
United States Attorney

7
8 AUSA Gappa has approved
of his electronic signature
being placed here

9 DATED: June 16, 2005

10 By _____
DAVID L. GAPPA
Assistant United States Attorney
Attorney for Plaintiff

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12 QUIN DENVIR
Federal Public Defender

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14
15 DATED: June 16, 2005

16 By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Luis C. Rodriguez

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20 **ORDER**

21 **IT IS SO ORDERED.** The intervening period of delay is excluded in the interests of justice
22 pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv). The hearing in this matter is continued
23 to August 23, 2005 at 9:00 a.m.

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25 DATED: June 17, 2005

26 /s/ OLIVER W. WANGER
OLIVER W. WANGER, Judge
United States District Court
Eastern District of California

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